

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

:
: ANSWER TO COMPLAINT

v.

:
: 06 CV 15173(SCR)

VILLAGE OF PORT CHESTER,

Defendant.

:
: -----X

For the answer to the complaint of the plaintiff in the above-entitled cause,
VILLAGE OF PORT CHESTER, defendant above named, by its attorneys,
PISCIONERE & NEMAROW, P.C., say:

NATURE OF THE ACTION

1. Answering the complaint, defendant denies upon information and belief each and every allegation contained in paragraph "1" of the plaintiff's complaint, but admits that this action is brought by the Attorney General pursuant to Sections 2 and 12 (d) of the Voting Rights Act of 1965, as amended.

JURISDICTION

2. Answering the complaint, defendant is without knowledge and information sufficient to form a belief as to the allegations contained in paragraph "2" and refers all questions of law to this honorable Court.
3. Answering the complaint, defendant is without knowledge and information sufficient to form a belief as to the allegations contained in paragraph "3" and refers all questions of law to this honorable Court.

THE PARTIES

4. Answering the complaint, defendant admits the allegations contained in paragraph "4."

5. Answering the complaint, defendant admits the allegations contained in paragraph “5”.

FACTS

6. Answering the complaint, defendant denies the allegations contained in paragraph “6.”

7. Answering the complaint, defendant denies the allegations contained in paragraph “7.”

8. Answering the complaint, defendant denies the allegations contained in paragraph “8.”

9. Answering the complaint, defendant admits the allegations contained in paragraph “9.”

10. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “10.”

11. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “11”.

12. Answering the complaint, defendant denies upon information and belief each and every allegation contained in paragraph “19.”

13. Answering the complaint, defendant admits the allegations contained in paragraph “13.”

14. Answering the complaint, defendant is without knowledge and information sufficient to form a belief as to the allegations contained in paragraph “14” of the plaintiff’s complaint.

15. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “15.”

16. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “16.”

17. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “17”, however the allegations call for a legal conclusion to which no response is required.

18. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “18.”

19. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “19.”

20. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “20.”

CLAIM FOR RELIEF


21. Answering the complaint, defendants repeat and reiterate each and every response contained paragraphs “1” through “20” of this Answer, with the same force and effect as if set forth herein.

22. Answering the complaint, defendant denies upon information and belief the allegations contained in paragraph “22.”

23. Answering the complaint, Paragraph “23”, the defendant denies that conducting future elections using an at-large method of election is a violation of Section 2 of the Voting Rights Act, and refers all questions of law to this honorable Court.

WHEREFORE, this answering defendant, VILLAGE OF PORT CHESTER, demands judgment dismissing plaintiff's complaint against it in its entirety, together with the costs and disbursements of this action.

Dated: Rye, New York
December 21, 2006


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